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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,376	12/11/2003	Per Martin Claesson	C4276(C)	2311

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EXAMINER

ASINOVSKY, OLGA

ART UNIT PAPER NUMBER

1711

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/735,376

Applicant(s)

CLAESSON ET AL.

Examiner

Olga Asinovsky

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 7-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 7-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 7-8, 14 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Appel et al U.S. Patent 6,025,320.

The rejection is set forth at pages 2-3 of the office action mailed on 10/20/2005 and it is incorporated here by reference.

Response to Arguments

3. Applicant's arguments filed 01/20/2006 have been fully considered but they are not persuasive. Applicants' argument is that Appel does not disclose a "cationically chargeable or charged side chains containing a tertiary or quaternary nitrogen atom" which is attached to the polymer. The argument is that Appel does not disclose the claimed graft copolymer. Appel does disclose (polyvinyl acetate/polyethylene glycol graft copolymer), col. 9, line 45. For the formulation of a heavy-duty laundry detergent composition the active bleach ingredient such as tetraacetyl-ethylenediamine can be included, col. 8, lines 5-17. The tetraacetyl-ethylenediamine is a cationically chargeable active and reactive compound, which is readable for being (c) component in claim 1. The argument is that said tetraacetyl-ethylenediamine is not attached to the polymer by

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grafting. The examiner disagrees. Appel discloses a process for producing heavy-duty laundry detergent composition at col. 8, lines 5-17 and at col. 11, claim 1, wherein a non-aqueous premix, polymer and a non-aqueous diluent are combined and mixed. The non-aqueous diluent comprises an ethoxylated nonionic surfactant, claim 3 at column 12. The non-aqueous diluent is polyethylene glycol. The tetraacetyl-ethylenediamine is a non-aqueous premix which is present during the process for producing a detergent composition. Although, Appel does not directly use term "side chains" of said tetraacetyl-ethylenediamine attached to the polymer, the tetraacetyl-ethylenediamine is attached to the polymer, because said tetraacetyl-ethylenediamine is reactive and it is present during the polymerization process. Thus, the tetraacetyl-ethylenediamine will inherently create a side chain.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9-13, 15-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Appel et al U.S. patent 6,025,320 as applied to claims 1-3, 7-8, 14 and 17 above, and further in view of Ruppert et al U.S. patent 4,579,681.

The rejection is set forth at page 4 of the office action mailed on 10/20/2005 and it is incorporated here by references.

Response to Arguments

6. Applicant's arguments filed 01/20/2006 have been fully considered but they are not persuasive. The argument is that Ruppert does not disclose a graft copolymer which has a backbone and then grafted side chains, at least one of which is a cationically chargeable or charged side chain. Ruppert does disclose a graft copolymer. In the working examples 1-5 at col. 5 and column 6, Ruppert discloses a process for graft polymerization in the presence of an azo catalyst, col. 6, lines 4-5. The component 2,2'-azobis (2,4-dimethylpentane nitrile) is a catalyst. The polymerization process includes vinyl caprolactam homopolymer and vinyl-ε-caprolactam copolymer (both are readable as a backbone), N-vinylpyrrolidone (polymerizable hydrophilic monomer) and a polymerizable dimethylaminoethyl methacrylate (DMAEMA), col. 6, line 25. The DMAEMA is a detergent-active compound.

Both references disclose a graft copolymer composition for the same utility.

It would have been obvious to one of ordinary skill in the art to modify the detergent composition in Appel invention by employing a detergent-active compound such as a dimethylaminoethyl methacrylate by teaching of Ruppert invention for the purposes to increase a soil release effect and/or bleaching effect, since any addition detergent-active ingredient (surface active agent) is expected in Appel invention, (Appel, col. 5, lines 22-27).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Asinovsky whose telephone number is 571-272-1066. The examiner can normally be reached on 9:00 to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.A.

March 24, 2006



James J. Seidleck
Supervisory Patent Examiner
Technology Center 1700